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Committee on Relations with the Host Country

Note verbale dated 20 May 2002 from the Permanent Mission of Iraq to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

The Permanent Mission of the Republic of Iraq to the United Nations presents its compliments to the Chairman of the Committee on Relations with the Host Country and has the honour to refer once more to the discriminatory procedures followed by the host country authorities in granting visas to enter the United States of America for Iraqi delegations sent to participate in the work of the United Nations General Assembly as well as to the harassment of Iraqi delegations at John F. Kennedy International Airport in New York.

1. On 15 March 2002, the Permanent Mission of Iraq to the United Nations addressed a note to the Permanent Mission of the United States of America to the United Nations requesting that entry visas be granted to the members of the Iraqi delegation led by the Minister of Education that was sent to participate in the work of the twenty-seventh special session of the United Nations General Assembly, the special session on children, held in New York from 8 to 10 May 2002. Approval for the issuance of these visas was given only on the evening of 7 May 2002, New York time. In other words, it took some 52 days to grant entry visas for the Iraqi delegation. This had the following consequences:

The children of Iraq did not participate in the activities of the Children's Forum held in New York on 5 and 6 May 2002;

The Iraqi delegation participated only in the activities held on the last day of the special session and was prevented from participating in those held on the first two days.

2. There was also a delay in granting entry visas for the Iraqi delegation led by the Minister for Foreign Affairs that was sent to participate in the dialogue with the Secretary-General of the United Nations scheduled to be held in New York from 1 to 3 May 2002.

3. As soon as they arrive at John F. Kennedy International Airport in New York, Iraqi delegations are subjected to numerous forms of harassment, beginning with questioning and body searches. These procedures are applied even to ministers.

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4. It is the practice of the United States security authorities to contact the members of Iraqi delegations or staff members of the Permanent Mission of Iraq to the United Nations with the offer of various bribes and inducements for them to remain in the United States of America in an attempt on their part to mar the reputation of the Iraqi diplomatic corps. The United States embassy in Amman also asks to interview certain delegation members with the same goal in view. The practices of this kind in which the United States authorities engage are incompatible with the successive resolutions that the United Nations General Assembly has adopted, by consensus, under the agenda item entitled "Report of the Committee on Relations with the Host Country". The most recent of these is resolution 56/84, in paragraph 2 of which the General Assembly:

> "*Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance to them, are in the interest of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions."

In its paragraph 5, the Assembly:

> "*Notes also* that the Committee anticipates that the host country will continue to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, inter alia, for the purpose of their attending official United Nations meetings."

These practices are also in violation of the provisions of the international legal instruments relating to diplomatic privileges and immunities, specifically Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, as well as of the responsibilities of the host country.

The Permanent Mission of the Republic of Iraq requests the Chairman of the Committee to exercise his good offices with the host country authorities for the necessary and appropriate measures to be taken to ensure compliance with the international obligations and arrangements by which the United States Government is bound, including the granting of entry visas for Iraqi delegations sent to participate in the various activities of the United Nations within a reasonable and seemly period of time, so as to permit such delegations to arrive in the United States of America on schedule, and the treatment of their members in a manner that is in keeping with the international norms and customs relating to diplomatic privileges and immunities.

The Permanent Mission of the Republic of Iraq requests that this note be circulated as a document of the Committee on Relations with the Host Country and that it be considered at the meeting of the Committee to be held on 28 May 2002.